



Town of Moultonborough Planning Board

Notice of Decision

Subdivision Permit

White Pines Trust/Robert White and Sharon Loizance/ Tax Map 194, Lot 34

October 15, 2009

**Applicant: White Pines Trust/Robert White and Sharon Loizance
2408 Shaker Lane
Frederick, MD 21702**

Location: 143 Eagle Shore Road (Tax Map 194, Lot 34)

On October 14, 2009 the Planning Board of the Town of Moultonborough opened a public hearing on the application of White Pines Trust/Robert White and Sharon Loizance, 2408 Shaker Lane, Frederick, MD 21702 (hereinafter referred to as the “Applicant” and/or “Owner”) to allow for a Subdivision Permit to amend the lot line location of the existing two (2) lots in the Agricultural Residential (AR) Zoning District.

The public hearing was closed on October 14, 2009 At the regularly scheduled Planning Board meeting on October 14, 2009 the Board voted by a vote of six (6) in favor (Ryerson, Coppinger, Jensen, Nelson, Fairchild, Charest), none (0) opposed, to Grant their request for a Subdivision Permit subject to the following conditions:

1. Conformance with Plan

Work shall conform with the plans entitled, “Subdivision Plan for White Pines Trust, Sharon Loizance and Robert White, Tax Map 194, Lot 34” prepared by Associated Surveyors, 121 NH Route 25, Unit 2, Meredith, NH 03253, dated September 15, 2008, and revised September 22, 2009.

2. Amendments

Any modification to the original approved plans created by Associated Surveyors titled “Subdivision Plan for White Pines Trust, Sharon Loizance and Robert White, Tax Map 194, Lot 34” and revised September 22, 2009, and any modification of any condition of this approval, together with previous approvals unless otherwise specified in this decision, must receive the prior approval of the Planning Board, unless deemed insignificant by the Town Planner. In such case the applicant shall submit to the Planner the requested changes who shall seek Board approval of the changes. The applicant will not proceed unless the Planner first provides written approval of the requested insignificant changes.

3. Endorsement of Plan

Following the vote of approval by the Planning Board, and the statutory thirty (30) day appeal period in accordance with RSA 677:15, the Planning Board Chairman shall sign the approved site plan, subject to conditions of this approval, which shall be recorded at the Carroll County Registry of Deeds. The conditions of approval of this site plan review shall be placed on the final plans, or this decision shall be referenced on the plans, and said plans shall be recorded at Carroll County Registry of Deeds within ninety (90) days of signing of the plans by the Planning Board Chair and prior to any construction commencing.

4. Subdivision Regulations

The Site shall be constructed in accordance with the requirements of the Subdivision Regulations and any other applicable rules and regulations as affected by this decision.

5. Construction Practices

All construction shall be carried out in accordance with Town of Moultonborough ordinances and the Subdivision Regulations, as well as all other pertinent rules and regulations. Additionally, all staging of materials and equipment shall be on-site, and no equipment or materials not directly used in the construction of the site shall be located on site.

6. Construction Requirements

- a. All construction will occur on site; no construction will occur or be staged within Town rights of way.
- b. Any roadways, driveways, or sidewalks damaged during construction shall be restored to their original condition by the Owner prior to the issuance of a Certificate of Occupancy for the site.
- c. All construction shall occur between the hours of 6:00 am and 9:00 pm as required by the Town of Moultonborough Unnecessary Noise Ordinance (Section 10.2(6)).
- d. The applicant shall clean construction vehicles before they exit the construction site, and clean and sweep all streets affected by their construction truck traffic as necessary.

7. Fire Department

All work shall comply with the requirements of the Moultonborough Fire Department as affected by this decision.

8. Office of the Building Inspector

All work shall comply with the requirements of the office of the Moultonborough Building Inspector as affected by this decision.

9. Utilities

Any utility installation shall be reviewed and approved by the Code Enforcement Officer prior to the issuance of a Building Permit.

10. Lighting

All lighting shall be in conformance with the Town of Moultonborough Zoning Ordinance and Site Plan Regulations.

11. Maintenance

A signed Maintenance Agreement shall be submitted to the Land Use Office for acceptance prior to the issuance of a Building Permit. Said Maintenance Agreement shall include schedules for cleaning of catch basins and other similar infrastructure maintenance items to ensure their proper functioning and shall include the following:

- a. Refuse removal, ground maintenance and snow removal shall be the responsibility of the applicant.
- b. Winter snow in excess of snow storage areas on the site shall be removed off site.

12. E-911 Numbering

The lots shall conform with the Town of Moultonborough Building Numbering System Ordinance (Section 20), prior to the issuance of Certificates of Occupancy for the lots.

13. Abutters Wellhead To be Indicated

The abutters wellhead and wellhead radius shall be indicated on a revised set of plans, prior to endorsement of the plans by the Planning Board Chair.

14. Easements and Deeds

The applicant shall submit copies of the required access, utility and sewer easements for review and approval by the Town prior to issuance of a Building Permit for the unconstructed lot. The applicant shall also submit draft deeds indicating the above easements, for review and approval prior to the issuance of a Building Permit for the unconstructed lot. Language shall be added to the plat indicating that the access easement(s) shall not be impeded in any way by utility services.

15. State Subdivision Approval

The applicant shall obtain approval from the state for subdivision prior to the issuance of a Building Permit for the unconstructed lot.

16. Testimony and Representation at Public Meetings

All testimony and representations made by the applicant or their representatives during the Public Hearing(s) and Public Meeting(s) shall be incorporated into this approval and part of this Notice of Decision.

17. Right to Amend Decision

The Planning Board reserves the right to modify or amend this approval on application of the owner, lessee, or mortgagee of the premises, or upon its own motion, as permitted by the Town of Moultonborough Subdivision Regulations, Section 4.14, and RSA 676:4.

18. Violations

Violations of any condition of this decision shall result in placement of a Stop-Work Order or a Cease and Desist Order, as appropriate, on the property by the Building Inspector and/or the

Planning Board, unless the violation of such condition is cured within fourteen (14) days, or waived by a majority vote of the Planning Board. Outstanding violations of the approved plans or conditions of approval may result in the revocation of this approval by the Planning Board.

This decision shall not take effect until thirty (30) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, it is recorded in the Carroll County Registry of Deeds, in accordance with RSA 677:15.

Judith A. Ryerson
Chairman, Planning Board

Date _____